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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,323	08/14/2001	Lester J. Chong	PD-201134	8664

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THE DIRECTV GROUP INC  
PATENT DOCKET ADMINISTRATION RE/R11/A109  
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EXAMINER
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MERED, HABTE

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

A

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/929,323	CHONG ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Habte Mered	2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                    |                                                                             |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____                                                |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/14/2005</u>                                                            | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. The amendment filed on 19 January 2006 has been entered and fully considered.
2. Claims 1-20 are currently pending.

#### ***Claim Rejections - 35 USC § 103***

- 3 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-5, 8-10, 12-14, 16, 19, and 20**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al (US 6, 636, 505), hereinafter referred to as Wang in view of Eyer (US Pub. No. 2001/0049720).

*Wang discloses a method of automatically provisioning a broadband communication service to a subscriber using a broadband or DSL modem.*

5. Regarding **claims 1, 8, and 12**, Wang discloses a computer-implemented method and system for provisioning broadband service in a Point-to-Point Protocol over Ethernet (PPPoE) network, **(See Figures 5 and 13 and Table 2)** comprising:  
providing a list of a plurality of internal domain names for an Internet Service Provider (ISP) to a modem **(The DSL modem will receive the domain names of reachable service providers (See Column 9, Lines 58-67 and Column 10, Lines 44-49) in the form of a User Profile (and is stored in the modem as shown in Table 6).)**

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6. With respect to **claims 1, 2, 8, and 12**, Wang fails to disclose transmitting an authentication request including a user identifier from the modem to the listed internal domain names over a PPPoE network; wherein the domain names are associated with a different Broadband Service Node (BSN) and receiving authorization for the modem from at least one but not all of the domain names of the ISP associated with the user identifier.

*Eyer teaches standard method of access to a multimedia provider's portal.*

Eyer discloses transmitting an authentication request including a user identifier from the modem to the listed internal domain names (**See paragraph 31**) over a PPPoE network (**See paragraph 40**); domain names are associated with a different Broadband Service Node (BSN) (**See paragraph 31**); and receiving authorization for the modem from at least one but not all of the domain names of the ISP associated with the user identifier. **(From the discussion in paragraph 31 Eyer shows that there are several IP addresses standardized for each service provider and these IP addresses are one form of representation for the internal domain names.)**

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Wang's method to incorporate a step in the DSL modem configuration and installation procedure to allow sending authentication requests to more than one domain names/ISPs, the motivation being simplification and complete automation of broadband modem installation for end users interested in accessing any number of ISPs they are registered with as stated in Wang Column 10, Lines 10-15.

7. Regarding **claim 3**, Wang discloses a method further comprising prior to the transmitting step, the step of establishing a PPPoE session. **(See also Column 9, Lines 58-67 and Column 10, Lines 1-25)**

8. Regarding **claims 4 and 13**, Wang discloses a method further comprising prior to the transmitting step, the modem requests only a single user identifier from a user of a client computer and receives and stores the user identifier in the modem. **(See Figure 6)**

9. Regarding **claim 5**, Wang discloses a method wherein the transmitting step comprises transmitting an authorization request containing the user identifier and a generic password to each of the multiple domain names. **(Wang discloses that an authorization request containing the user name and the password can be sent to multiple domain names or ISPs. See Column 9, Lines 58-67; Column 10, Lines 44-49; Column 10, Lines 10-24 and 56-60; Figures 6 and 14. However, the value of the password being transmitted can be unique for each user or generic. If generic value is used it makes the installation process easy but introduces a measure of insecurity and vulnerability for the ISP and end user. On the other hand unique passwords can make the installation process more cumbersome but provide a higher level of security. Therefore, the determination of the value of the password is really a design and operations issue.)**

10. Regarding **claim 9**, Wang discloses a system further comprising: a Digital Subscriber Line Access Multiplexer (DSLAM) **(Wang's Figure 3, element 90)** coupled between the modem **(Wang's Figure 3, element 110)** and the BSNs **(Wang's Figure**

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**3, elements 100; Each ISP can be considered as a BSN); an Asynchronous Transfer Mode (ATM) network (Wang's Figure 3, element 140) coupled between the DSLAM and the BSNs; and a Broadband Remote Access Server (BRAS) (Not shown in Figures 2 and 3 but is the Wide Area Concentrator mentioned in Wang's Column 9, Lines 24-30) coupled between the ATM network and the BSNs. (See also Figure 9)**

11. Regarding **claim 10**, Wang discloses a system wherein the BSNs are coupled to the Internet. **(Each element 100 in Wang's Figures 1-4 is a unique broadband service node and represents different ISPs or domain names. See also Wang Column 9. Lines 24-30 and Wang Column 10, Lines 44-50. ISPs sole purpose is to connect users to the Internet and the BSNs have to be coupled to the Internet.)**

12. Regarding **claims 14 and 20**, Wang discloses all aspects of the invention as set forth in the rejection of claims 12 and 1 respectively, but fails to expressly disclose a modem wherein the list of internal domain names was hard coded into the modem at the time of manufacture.

13. Regarding **claims 16 and 19**, Wang discloses all aspects of the invention as set forth in the rejection of claims 12 and 1 respectively, but fails to expressly disclose a modem wherein the instructions cause the modem to transmit authentication request to the listed internal domain names regardless of whether authorization is received for the modem from one of the listed internal domain names of the ISP.

14. With respect to **claims 14, 16, 19, and 20**, Eyer discloses a modem wherein the list was hard coded into the modem at the time of manufacture and the modem transmits authorization request to all ISPs on the list. **(See paragraphs 30 and 31)**

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Wang's method by hard coding a list of ISPs and transmitting authorization request to all on the list, the motivation being it minimizes human error introduced by end users who do not know and have their correct registration info of their ISPs during the DSL modem configuration and installation procedure and also can be a good selling feature for the manufacturer supplying modems to different ISPs.

15. **Claims 6, 7, 11, and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang in view of Eyer as applied to claims 1, 8, and 12 above, and further in view of Krishan (US 6, 115, 755).

16. Regarding **claims 6, 11, and 15**, the combination of Wang and Eyer discloses all aspects of the claimed invention as set forth in the rejection of claims 1, 8, and 12 respectively, but does not disclose a method wherein the receiving step comprises acquiring at least one static Internet Protocol (IP) address.

*Krishan discloses a plug-in card that integrates a modem, a hub and a network interface.*

Krishan discloses a method wherein the receiving step comprises acquiring at least one static Internet Protocol (IP) address. **(See Column 7, Lines 63-67 and Column 8, Lines 1-10).**

17. Regarding **claim 7**, the combination of Wang and Eyer discloses all aspects of the claimed invention as set forth in the rejection of claim 1 and 6 but does not disclose a method including transmitting a configuration request to the ISP, where the

configuration request is addressed from a static IP address; receiving full configuration details from the ISP, where the full configuration details are addressed to the static IP address; and automatically configuring the modem based on the full configuration details.

Krishan teaches a method including transmitting a configuration request to the ISP, where the configuration request is addressed from a static IP address; receiving full configuration details from the ISP, where the full configuration details are addressed to the static IP address; and automatically configuring the modem based on the full configuration details. **(See Figure 4 and Column 7, Lines 63-67 and Column 8, Lines 1-10).**

18. With respect to **claims 6, 7, 11, and 15**, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combination of Wang's and Eyer's method to incorporate a step in the DSL modem configuration and installation procedure of requesting and receiving static IP addresses, the motivation being receiving such a permanent network address as opposed to a dynamic IP address prevents the end user from reconfiguring the modem whenever there is a change in address and the provider also benefits as it minimizes installation related calls.

19. **Claim 17** is rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al (US 6, 636, 505), hereinafter referred to as Wang, in view of Eyer (US Pub. No. 2001/0049720) and Krishan (US 6, 115, 755).



Wang discloses a modem for use in conjunction with a computer system for provisioning broadband service in a Point-to-Point Protocol Over Ethernet (PPPoE) network (**See Figures 5 and 13 and Table 2**), the modem comprising: instructions for causing a client computer to request a user identifier (**See Figure 6**); instructions for receiving the user identifier from the client computer and storing the user identifier in the modem (**See Column 9, Lines 58-67; Column 10, Lines 44-49; Column 10, Lines 10-24 and 56-60; Figures 6 and 14**); and a list of a plurality of possible domain names to query for authorization for an ISP; (**See Wang Column 10, Lines 14-18**).

Wang fails to disclose instructions for transmitting an authentication request including a user identifier from the modem to internal domain names on the list over a PPPoE network; and instructions for receiving authorization for the modem from at least one but not all of the domain names of the ISP associated with the user identifier.

Eyer discloses instructions for transmitting an authentication request including a user identifier from the modem to internal domain names on the list over a PPPoE network; and instructions for receiving authorization for the modem from at least one but not all of the domain names of the ISP associated with the user identifier. (**See paragraphs 30, 31 and 40. Further Eyer shows that for provisioning purposes several IP addresses are associated with an ISP. Given that domain names can be translated to an IP address certainly these ip addresses can represent internal domain names**)

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Wang's method to incorporate a step in the DSL modem

configuration and installation procedure to allow sending authentication requests to more than one domain names/ISPs, the motivation being simplification and complete automation of broadband modem installation for end users interested in accessing any number of ISPs they are registered with as stated in Wang Column 10, Lines 10-15.

Wang, however fails to expressly disclose a method wherein the receiving step comprises acquiring at least one static Internet Protocol (IP) address.

Krishan discloses a method wherein the receiving step comprises acquiring at least one static Internet Protocol (IP) address. **(See Column 7, Lines 63-67 and Column 8, Lines 1-10).**

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Wang's method to incorporate a step in the DSL modem configuration and installation procedure of requesting and receiving static IP addresses, the motivation being receiving such a permanent network address as opposed to a dynamic IP address prevents the end user from reconfiguring the modem whenever there is a change in address and the provider also benefits as it minimizes installation related calls.

20. **Claim 18** is rejected under 35 U.S.C. 103(a) as being unpatentable over Huotari et al (US Pub. No. 2002/0004935), hereinafter referred to as Huotari, in view of Eyer (US Pub. No. 2001/0049720), and Ramanathan et al (US 6, 182, 136), hereinafter referred to as Ramanathan.

Huotari discloses a system for provisioning broadband service in a Point-to-Point Protocol Over Ethernet (PPPoE) network, **(See Figure 2)** comprising: an authentication

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server including a table that lists user identifiers against static IP addresses (**See Paragraph 58. Also Huotari discloses a method where the configuration file sent from the ISP contains an IP address for the CPE/DSL Modem and the IP address can either be static or dynamic. See Huotari's Paragraphs 73, 82 and Figure 5C);** at least one client computer (**Figure 1, element 105**); and a modem coupled to the client computer (**Figure 1, element 130**) the modem including a memory comprising: instructions for requesting a user identifier from the client computer; instructions for receiving the user identifier from the client computer and storing the user identifier in the modem (**See Figure 2 elements 225 and 230 and Paragraph 65. These entities can easily be part of the modem**); and possible BSNs querying their authentication server to determine whether the user identifier in the authentication request is listed in the table, if listed authorization including the static IP address from at least one of the domain names being transmitted back to the modem to establish connectivity to the Internet and instructions for receiving authorization for the modem and a static IP address from at least one but not all of the domain names of the ISP associated with the user identifier. (**See Paragraph 58. Also Huotari discloses a method where the configuration file sent from the ISP contains an IP address for the CPE/DSL Modem and the IP address can either be static or dynamic. See Huotari's Paragraphs 73, 82 and Figure 5C);**

Huotari fails to disclose a list of a plurality of possible BSN domain names to query for authorization for an ISP; instructions for transmitting an authentication request

including the user identifier from the modem to the listed domain names of the ISP over a PPPoE network;

Eyer discloses a list of a plurality of possible BSN domain names to query for authorization for an ISP **(See Paragraphs 30 and 31)**; instructions for transmitting an authentication request including the user identifier from the modem to the listed domain names of the ISP over a PPPoE network. **(See Paragraphs 30, 31, and 40)**

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Huotari's method to incorporate a step in the DSL modem configuration and installation procedure to allow sending authentication requests to more than one domain names/ISPs, the motivation being simplification and complete automation of broadband modem installation for end users interested in accessing any number of ISPs they are registered with as stated in Wang Column 10, Lines 10-15.

Huotari fails to disclose multiple Broadband Service Nodes (BSNs) of an Internet Service Provider (ISP), each of the BSN associated with a different domain name; an authentication server coupled to each one of the multiple BSNs

Ramanathan discloses multiple Broadband Service Nodes (BSNs) of an Internet Service Provider (ISP), each of the BSN associated with a different domain name; an authentication server coupled to each one of the multiple BSNs. **(See Figure 5 with an ISP mail domain and authentication server. The same arrangement can be said for the news and web servers. See Column 6, Lines 56-64, Column 19, Lines 50-67, Column 21, Lines 63-67, Column 22, Lines 1-10, and Column 24, Lines 44-47.)**

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Huotari's method to incorporate an ISP with multiple BSNs, the motivation being enhanced efficiency obtained from organizing the different services provided by an ISP with front-end servers by grouping servers providing same service under the same domain name in addition to load balancing as stated in Ramanathan Column 6, Lines 56-64.

### ***Response to Arguments***

21. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following publications are cited to show the state of the art in end-user self-authentication and OSS used by ISPs to support provisioning:

US Pub. No. (2001/0019559) to Handler et al

US Patent No. (6, 667, 971) to Modarressi et al

US Patent No. (6, 603, 758) to Schmuelling et al

US Patent No. (6, 112, 305) to Danes et al

US Patent No. (6, 023464) to Woundy

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Habte Mered whose telephone number is 571 272 6046.

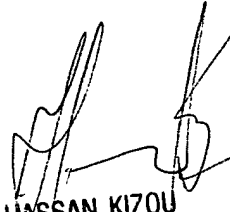
The examiner can normally be reached on Monday to Friday 9:30AM to 5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571 272 3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HM  
03-18-2006

  
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